

OPINION 2099 (Case 3254)***Aphodius niger* Illiger, 1798 (Insecta, Coleoptera): specific name conserved**

Abstract. The Commission has ruled that the specific name of *Aphodius niger* Illiger, 1798 is conserved for a widely distributed and endangered species of European dung beetle by the suppression of the senior secondary homonym *Aphodius niger* (Panzer, 1797).

Keywords. Nomenclature; taxonomy; Coleoptera; SCARABAEIDAE; *Aphodius*; *Aphodius niger*; dung beetle; endangered species; British Red Data Book; U.K. Biodiversity Action Plan; Europe.

Ruling

- (1) Under the plenary power it is ruled that the name *niger* Panzer, 1797, as published in the binomen *Scarabaeus niger*, is hereby suppressed for the purposes of both the Principle of Priority and the Principle of Homonymy.
- (2) The name *niger* Illiger, 1798, as published in the binomen *Aphodius niger* and as defined by the lectotype labelled 'Succ' and 'lectotype' in the Museum für Naturkunde, Berlin, is hereby placed on the Official List of Specific Names in Zoology.
- (3) The name *niger* Panzer, 1797, as published in the binomen *Scarabaeus niger* and as suppressed in (1) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology.

History of Case 3254

An application to conserve the specific name *Aphodius niger* Illiger, 1798 for a widely distributed and endangered species of European dung beetle was received from Frank-Thorsten Krell and Jason F. Maté (*Department of Entomology, Natural History Museum, London, U.K.*), Darren J. Mann (*Hope Entomological Collections, Oxford University Museum of Natural History, Oxford, U.K.*) and Robert B. Angus (*School of Biological Sciences, Royal Holloway, University of London, Egham, Surrey, U.K.*) on 20 August 2002. After correspondence the case was published in BZN 60: 127–131 (June 2003). The title, abstract and keywords of the case were published on the Commission's website. No comments on this case were received.

Decision of the Commission

On 1 September 2004 the members of the Commission were invited to vote on the proposals published in BZN 60: 129. At the close of the voting period on 1 December 2004 the votes were as follows: 20 Commissioners voted FOR the proposals, 3 Commissioners voted AGAINST, Martins de Souza abstained, Ng was on leave of absence.

Voting against, Bouchet commented: 'As Illiger did not describe a new species, but merely misapplied Panzer's name, there is no such thing as a nominal species

Aphodius niger Illiger, 1798. Consequently a non-existing nominal species cannot have 'type material', and the 'lectotype designation' has no purpose. I could have accepted one of the following courses of action:

(1) designate one of Illiger's specimens as neotype of *Scarabaeus niger* Panzer, 1797, and if necessary have the Commission rule that this name is not invalid despite being a secondary homonym of *Scarabaeus niger* Giorna, 1791;

(2) accept Adam's nomenclature and use *Aphodius muscorum* as the valid name.

The first alternative would stabilize current nomenclature and may even perhaps be done without action from the Commission as *S. niger* Panzer, 1797 may probably be preserved against *S. niger* Giorna, 1791 under Article 23.9'.

Lamas similarly commented that *Aphodius niger* Illiger, 1798 is a misidentification of Panzer's name and not a new name. Likewise, Patterson commented that, as *niger* (Panzer 1797) seems to be in current use, and as the proposal suggests that Illiger did not introduce a new name but merely misidentified material, he believed a better course of action to provide stability would be to retypify Panzer's name.

Original references

The following are the original references to the names placed on an Official List and an Official Index by the ruling given in the present Opinion:

niger, *Aphodius*, Illiger, 1798, *Verzeichniss der Käfer Preussens. Entworfen von Johann Gottlieb Kugelann Apotheker in Osterode*, p. 24.

niger, *Scarabaeus*, Panzer, 1797, *Fauna Insectorum Germaniae initia oder Deutschlands Insecten*, Heft 37, p. 1.

The following is the reference for the designation of the lectotype of *Aphodius niger* Illiger, 1798:

Krell, F.-T., Mann, D.J., Angus, R.B. & Maté, J.F. 2003. *Bulletin of Zoological Nomenclature*, 60: 129.